

### REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 1, 3-6, 8, and 9 are pending in this application. Claims 2 and 7 are canceled by the present response without prejudice. Claims 1-2 and 4-9 were rejected under 35 U.S.C. §103(a) as unpatentable over U.S. patent 6,628,584 to Heemskerk et al. (herein "Heemskerk") in view of U.S. patent 5,901,127 to Sako et al. (herein "Sako"). Claim 3 was rejected under 35 U.S.C. §103(a) as unpatentable over Heemskerk in view of Sako as applied to claims 1-2 and 4-9, and further in view of U.S. patent 6,256,276 to Kobayashi et al. (herein "Kobayashi"). Those rejections are traversed by the present response as discussed next.

Each of the independent claims is amended by the present response to clarify features recited therein. Specifically, each of the independent claims now clarifies the "data track being divided into physical sector numbers", as shown for example in Figure 2 in the present specification. The claims also clarify the main data and linking data are scrambled "by a random sequence" scrambling data generated by an identical system. The claims now also further recite:

wherein a cluster number and at least one of the physical sector numbers in the data track is preset as an initial value when said main data and linking data are scrambled by the random sequence.

The above-noted subject matter is noted in the present specification for example at page 20, lines 9-17.

According to features clarified in the claims, main data and linking data are scrambled by a random sequence, and an initial value when that main data and linking data are scrambled is a cluster number in at least one of the physical sector numbers in the data track. The above-noted features are believed to clearly distinguish over the applied art.

The outstanding rejection recognizes that Heemskerk does not disclose that main data recorded in a main data area and linking data recording a linking area in each of the blocks

are scrambled by scrambling data generated by an identical system, and to overcome those recognized deficiencies in Heemskerk the outstanding rejection cites Sako to disclose main data and linking data scrambled by an identical system, citing Sako at Figure 1 and at column 4, lines 27-32.<sup>1</sup>

In reply to that basis for the rejection, Sako notes that for the scrambling operation input data is randomized so that the same byte pattern will not be produced in succession.<sup>2</sup> Sako also notes the use of a scrambling circuit 14 that can be downstream of a header appendage circuit 15.

However, Sako does not disclose or suggest the features clarified in the claims as to using a cluster number in at least one of the physical sector numbers as an initial value when main data and linking data are scrambled by a random sequence. Applicant submits Heemskerk also does not disclose or suggest such features.

Thereby, the combination of teachings of Heemskerk and Sako does not meet the features now clarified in the claims.

Moreover, no teachings in the further applied art to Kobayashi were cited with respect to the above-noted features, and no teachings in Kobayashi are believed to cure the above-discussed deficiencies of Heemskerk in view of Sako.

In such ways, the claims as written are believed to distinguish over the applied art.

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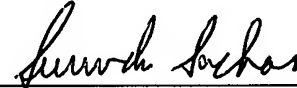
<sup>1</sup> Office Action of February 13, 2007, bottom of page 2.

<sup>2</sup> Sako at column 4, lines 3-7.

In view of the present response applicant respectfully submits the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Surinder Sachar  
Registration No. 34,423

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 03/06)  
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